

1 SETH ARONSON (S.B. #100153)  
saronson@omm.com  
2 DAVID I. HURWITZ (S.B. #174632)  
dhurwitz@omm.com  
3 O'MELVENY & MYERS LLP  
400 South Hope Street  
4 Los Angeles, CA 90071-2899  
Telephone: (213) 430-6000  
5 Facsimile: (213) 430-6407

6 Attorneys for Defendants  
Bank of America Corporation, Banc of  
7 America Investment Services, Inc. and Banc  
of America Securities LLC  
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9 **UNITED STATES DISTRICT COURT**  
10 **SOUTHERN DISTRICT OF CALIFORNIA**  
11

12 Sumner D. Bearman, Individually  
and on Behalf of All Others  
13 Similarly Situated,

14 Plaintiff,

15 v.

16 Bank of America Corporation, Banc  
of America Investment Services,  
17 Inc., and Banc of America Securities  
LLC,  
18

19 Defendant.  
20

Case No. 08-CV-1115-DMS-WMC

**DEFENDANTS' NOTICE OF  
PARTY WITH FINANCIAL  
INTEREST**

21 Pursuant to Southern District of California Local Rule 40.2, Defendants  
22 hereby state that Bank of America Corporation is a publicly traded corporation  
23 organized under the laws of the State of Delaware and whose shares are traded on  
24 the New York Stock Exchange. No other publicly traded corporation owns 10% or  
25 more of the stock of Bank of America Corporation. Banc of America Investment  
26 Services, Inc. and Banc of America Securities LLC are not publicly traded  
27 corporations. Bank of America Corporation is the only publicly traded corporation  
28 that owns a greater than 10% interest in Banc of America Investment Services, Inc.

1 and Banc of America Securities LLC.

2  
3 Dated: July 30, 2008

SETH ARONSON  
DAVID I. HURWITZ  
O'MELVENY & MYERS LLP

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6 By: /s/ David Hurwitz

David Hurwitz  
Attorneys for Defendants  
Bank of America Corporation, Banc of  
America Investment Services, Inc. and  
Banc of America Securities LLC

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